

Plan, et al., No. 07-cv-7379 (DLC), hereby move this Court on June 25, 2010 at 3:00 pm in the Courtroom of the Honorable Denise L. Cote, United States District Judge for the Southern District of New York, Courtroom 11B, United States Courthouse, 500 Pearl Street, New York, New York 10007, or other such location and time as set by the Court, for an Order:

- (1) Granting final approval of the proposed Settlement;
- (2) Consolidating the above-actions and certifying a Class for the purpose of the Settlement;
- (3) Approving case contribution awards to Named Plaintiffs and reimbursing reasonable out-of-pocket expenses to Plaintiffs' Counsel; and
- (4) Entering Final Judgment.

RESPECTFULLY SUBMITTED this 17th day of June, 2010.

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Certificate of Service

I hereby certify that on June 17, 2010, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which will send notification of such filing to the following: Jonathan Youngwood, Thomas C. Rice, Joseph H. Meltzer, Amy Williams-Derry, Peter S. Linden and Edgar Pauk.

/s/Rebecca Song

Rebecca Song